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Attorneys for Defendant
CITY AND COUNTY OF SAN FRANCISCO
(Erroneously sued as City of San Francisco)

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

CLARK FRESHMAN,

Plaintiff,

vs.

CITY OF SAN FRANCISCO,

Defendant.

Case No. 23-cv-05703-CRB

**JOINT NOTICE OF CONDITIONAL
SETTLEMENT; STIPULATION AND
~~PROPOSED~~ ORDER REGARDING SETTING
CASE MANAGEMENT CONFERENCE TO
ALLOW FOR APPROVAL OF SETTLEMENT**

Date Action Filed: November 6, 2023

WHEREAS Plaintiff Clark Freshman (“Plaintiff”) and Defendant City and County of San Francisco (“City”) (together with Plaintiff the “Parties”) participated in a mediation with the Hon. David Garcia (Ret.) on July 10, 2024;

WHEREAS Judge Garcia agreed to offer the Parties a further mediation session in the hope of reaching settlement;

WHEREAS the Parties have reached a settlement agreement conditioned on approval by the appropriate authorities of the City;

WHEREAS the City is diligently proceeding with obtaining the necessary approvals to finalize the settlement;

WHEREAS the Parties expect to be able to file a dismissal with prejudice once the settlement is approved;

WHEREAS the Parties wish to avoid a waste of the Court's resources, Judge Garcia's time, and the Parties' resources while the settlement is finalized;

NOW THEREFORE THE PARTIES STIPULATE AND REQUEST as follows:

1. The Parties respectfully request that all deadlines in this case be vacated until a case management conference to be set at least ninety (90) days from today;

2. The Parties respectfully request that the Court set a case management conference at least ninety (90) days from today, at the Court's convenience, with the expectation that a dismissal can be filed in advance of such a conference;

3. If, for any reason, any Officer or Board of the City rejects the proposed settlement in this case, the City shall so inform the Court and request a Case Management Conference as soon as possible.

SO STIPULATED.

Dated: August 7, 2024

DAVID CHIU
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JENNIFER E. CHOI
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S. PATRICK KELLY
Deputy City Attorney

By: /s/ S. Patrick Kelly
S. PATRICK KELLY

Attorneys for Defendant
CITY AND COUNTY OF SAN FRANCISCO

Dated: August 7, 2024

REIN & CLEFTON

By: /s/ Aaron Clefton
AARON CLEFTON, Esq.

Attorneys for Plaintiff
CLARK FRESHMAN

**Pursuant to L.R. 5-1(i)(3), the electronic signatory has obtained approval from this signatory.*

~~[PROPOSED]~~ ORDER

PURSUANT TO STIPULATION, IT IS HEREBY ORDERED:

A Joint Case Management Statement or Dismissal due by November 8, 2024.

1. A case management conference in this matter is set for November 15, 2024 at 8:30 a.m.;
2. All deadlines in this case are vacated until that case management conference;
3. If, for any reason, any Officer or Board of the City rejects the proposed settlement in this case, the City shall so inform the Court and request a Case Management Conference as soon as possible.

IT IS SO ORDERED.

DATE: August 8, 2024


HON. CHARLES R. BREYER
United States District Judge